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Attorney for Debtors
Pamela S. & Deveraueux Minor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO

IN THE MATTER OF

Minor, Pamela S.
SS#xxx-xx-6815
Minor, Deveraueux
SS#xxx-xx-8813

CASE NO. 12-26546-A-13J
DOCKET CONTROL #:PGM-3
DATE: September 21, 2015
TIME: 1:30 p.m.
DEPT#: A, Courtroom 28
Honorable Judge Michael S. McManus

Debtors _____/

**MOTION TO MODIFY
CHAPTER 13 PLAN AFTER CONFIRMATION
FILED ON AUGUST 11, 2015**

This Motion to Modify the Plan is based upon the following facts;

1. That on April 03, 2012 Debtors filed a Chapter 13 to reorganize their debts.

2. That on July 11, 2012, the Debtors' Plan was confirmed.

3. Due to the declining health of Debtors, Debtors cannot complete the plan as originally confirmed as stated under penalty of perjury in the accompanying Declaration of Debtors. In that Declaration Debtors state, "We have decided to surrender our car financed with Safe Credit Union and our misc electronics financed

1 with Best Buy. We have also reduced our plan term to 41 months
2 because Deveraueux is on dialysis three days a week and Pamela is
3 looking at knee surgery, so we worry that if we don't succeed
4 now, we may wait too long and fail given our declining health.".

5 4. As of July 23, 2015, the Debtors have paid a total of
6 \$10,360.00 to the Chapter 13 Trustee, pursuant to the confirmed
7 plan.

8 5. The Debtors propose plan payments of \$265.00 will resume
9 August 2015 for two months to complete the Plan within the
10 maximum term allowed by law.

11 5. The term of the Plan decreases to a total of 41 months.

12 6. That all installment fees, charges, or amounts required
13 by the Court, have been paid by the Debtors.

14 7. That the plan has been proposed in good faith and not by
15 any means forbidden by law, as evidenced in the Declaration of
16 Debtors.

17 8. The modification proposed by Debtors will modify the
18 rights of the holder of any secured claim within the Plan. The
19 plan proposes to surrender the collateral of Safe Credit Union,
20 i.e. the 2004 Mitsubishi. The plan also proposes to surrender
21 the collateral of Ecast Settlement/Capital One, N.A., i.e.
22 miscellaneous electronics purchased from Best Buy.

23 9. The modification proposed by Debtors will not modify the
24 rights of the holder of any unsecured claim within the plan.

25 Wherefore, Debtors pray that the Motion to Modify the Plan
26 (Second Modified Plan) be granted.

27 Dated: August 11, 2015

/s/ Peter G. Macaluso

Peter G. Macaluso, Attorney at Law